



DEPARTMENT OF ENERGY

[GDO Docket No. EA-336-C]

Application for Renewal of Authorization to Export Electric Energy;

ConocoPhillips Company

AGENCY: Grid Deployment Office, Department of Energy.

ACTION: Notice of application.

SUMMARY: ConocoPhillips Company (the Applicant or COP) has applied for renewed authorization to transmit electric energy from the United States to Mexico pursuant to the Federal Power Act.

DATES: Comments, protests, or motions to intervene must be submitted on or before **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]**.

ADDRESSES: Comments, protests, motions to intervene, or requests for more information should be addressed by electronic mail to *Electricity.Exports@hq.doe.gov*.

FOR FURTHER INFORMATION CONTACT: Christina Gomer, (240) 474-2403, *electricity.exports@hq.doe.gov*.

SUPPLEMENTARY INFORMATION: The U. S. Department of Energy (DOE) regulates electricity exports from the United States to foreign countries in accordance with section 202(e) of the Federal Power Act (FPA) (16 U.S.C. 824a(e)) and regulations thereunder (10 CFR 205.300 *et seq.*). Sections 301(b) and 402(f) of the DOE Organization Act (42 U.S.C. 7151(b) and 7172(f)) transferred this regulatory authority, previously exercised by the now-defunct Federal Power Commission, to DOE.

Section 202(e) of the FPA provides that an entity which seeks to export electricity must obtain an order from DOE authorizing that export. (16 U.S.C. 824a(e)). On June 13, 2022, the authority to issue such orders was delegated to the DOE's Grid Deployment Office (GDO) under Delegation Order No. S1-DEL-S3-2022-2 and Redelelegation Order No. S3-DEL-GD1-2022.

On April 16, 2013, DOE issued Order No. EA-336-A authorizing COP to transmit electric energy from the United States to Mexico as a power marketer. On May 31, 2018, DOE issued Order No. EA-336-B, renewing COP's authority to transmit electric energy for an additional five-year term. On January 30, 2023, COP filed an application with DOE (Application or App) for renewal of their export authority for an additional five-year term. App. at 1.

In its Application, COP states that it “does not own or operate electric a [*sic*] transmission or distribution system, and does not have a franchised service area” and is “engaged in, among other things, the marketing of electric power at wholesale in various markets throughout the United States.” *Id.* at 2. COP represents that “the electric power that COP will export, on either a firm or interruptible basis, will be purchased from others voluntarily and will therefore be surplus to the needs of the selling entities” and thus, “will not impair the sufficiency of the electric power supply within the United States.” *Id.* at 6.

The existing international transmission facilities to be utilized by the Applicant have been previously authorized by Presidential permits issued pursuant to Executive Order 10485, as amended, and are appropriate for open access transmission by third parties. *See* App at Exhibit C.

Procedural Matters: Any person desiring to be heard in this proceeding should file a comment or protest to the Application at the address provided previously. Protests should be filed in accordance with Rule 211 of FERC's Rules of Practice and Procedure (18 CFR 385.211). Any person desiring to become a party to this proceeding should file a motion to intervene at the previous address in accordance with FERC Rule 214 (18 CFR 385.214).

Comments and other filings concerning COP's Application should be clearly marked with GDO Docket No. EA-336-C. Additional copies are to be provided directly to Mark R. Haskell and Lamiya Rahman, Blank Rome LLP, 1825 Eye Street, NW, Washington, DC 20006, mark.haskell@blankrome.com and lamiya.rahman@blankrome.com and Casey P. McFaden, Senior Counsel – ConocoPhillips Company and Robert F. Bonner, Director, Commercial Compliance, Reporting & Policy – ConocoPhillips Company, 925 N. Eldridge Parkway,

Houston, TX 77079, casey.p.mdfaden@conocophillips.com and

Robert.f.bonner@conocophillips.com.

A final decision will be made on the requested authorization after the environmental impacts have been evaluated pursuant to DOE's National Environmental Policy Act Implementing Procedures (10 CFR part 1021) and after DOE evaluates whether the proposed action will have an adverse impact on the sufficiency of supply or reliability of the United States electric power supply system.

Copies of this Application will be made available on the program website at <https://www.energy.gov/gdo/pending-applications> or, upon request, by emailing Electricity.Exports@hq.doe.gov.

Signing Authority: This document of the Department of Energy was signed on April 5, 2023, by Maria Robinson, Director, Grid Deployment Office, pursuant to delegated authority from the Secretary of Energy. That document with the original signature and date is maintained by DOE. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DOE Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of the Department of Energy. This administrative process in no way alters the legal effect of this document upon publication in the *Federal Register*.

Signed in Washington, DC on April 6, 2023.

Treena V. Garrett,
Federal Register Liaison Officer,
U.S. Department of Energy.